

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED

FEB 26 1999

TIMOTHY R. WALBRIDGE, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OKLAHOMA

In re:

PEARSON, MELVIN T., a/k/a Tom Pearson
SS #445-54-4222, and,
PEARSON, SHANNON D., a/k/a Dee Pearson
SS #496-74-7512

Debtor/s.

Case No. **98-03049-R**
(Chapter 7)

MELVIN T. PEARSON and SHANNON
D. PEARSON,

Plaintiffs,

vs.

Adversary No. **98-0298-R**

ILLINOIS STUDENT ASSISTANCE
COMMISSION; and SOUTHWEST STUDENT
SERVICE CORP.; and THE UNITED STATES
OF AMERICA ex rel. DEPARTMENT OF
EDUCATION; and DOUBLE GC SERVICES,

Defendants,

and,

UNITED STUDENT AID FUNDS, INC.,
a non-profit Delaware corporation,

Intervenor.

JUDGMENT

(Form 32, F.R.Civ.P. Tit. 28, U.S.C.)

This action came on for decision before the Court, Hon. Dana L. Rasure, Bankruptcy Judge, presiding, pursuant to the stipulations of the parties as evidenced by counsels' signatures hereto and on the stipulated Order for Judgment filed concurrently herewith and the issues having been duly considered and a decision having been duly rendered,

It is Ordered and Adjudged

The claims of the Defendant, **ILLINOIS STUDENT ASSISTANCE COMMISSION**, as set forth in its papers herein, Counterclaim are determined to be dischargeable pursuant to § 523(a)(8)(A), *Tit. 11, U.S.C.*, as was then in effect prior to the **Higher Education Amendments of 1998**, *Pub. L. 105-244, October 7, 1998, 112 Stat. 1581*, and the same are ordered discharged.

The Defendant, **UNITED STUDENT AID FUNDS, INC.**, a non-profit Delaware corporation ("**USA Funds**"), shall recover of the Plaintiff, **MELVIN T. PEARSON** ("**Melvin Pearson**"), *only*, judgment in the sum of Seven Thousand Four Hundred Twenty-eight and 20/100 Dollars (\$7,428.20), with interest accruing thereon at the rate of nine per cent per annum (9% APR), and that said sums are determined to be non-dischargeable pursuant to § 523(a)(8)(B), *Tit. 11, U.S.C.*, as the same existed prior to the enactment of the **Higher Education Amendments of 1998**, *Pub. L. 105-244, October 7, 1998, 112 Stat. 1581*.


Execution on this judgment shall be stayed as long as the Plaintiff commences installment payments on or before July 1, 1999, in the amount of Seventy-five and 34/100 Dollars (\$75.34) per month, and maintains like installments to be due and payable on or before the first day of each succeeding month thereafter in a like amount until said judgment is paid in full, which should extend over a period of approximately fifteen (15) years, **PROVIDED, HOWEVER**, in the event of default in any timely payment called for by this Order and resulting judgment, the entire balance shall immediately become due and payable without further notice to the Plaintiff, for all of which, let execution immediately thereafter issue..

DATED at Tulsa, Oklahoma, this 26 day of February, 1999.

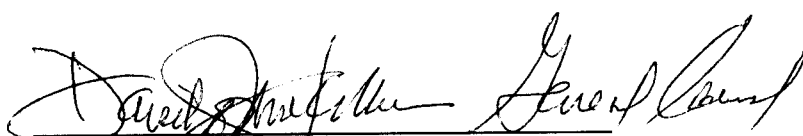


DANA L. RASURE, *United States Bankruptcy Judge*

APPROVED FOR ENTRY/AS TO FORM:


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***ATTORNEY FOR INTERVENOR,
UNITED STUDENT AID FUNDS, INC., a
non-profit Delaware corporation ("USA
Funds")***